

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00088

Matthew Hogg,
Plaintiff,

v.

David Yager et al.,
Defendants.

ORDER

Plaintiff Matthew Hogg filed this lawsuit complaining of alleged violations of his rights pursuant to 42 U.S.C. § 1983 while he was a pretrial detainee in the Van Zandt County Jail. Doc. 1. Thereafter, defendant Stephen Hendrix filed a motion to dismiss. Doc. 18. This case was referred to United States Magistrate Judge John D. Love. On June 23, 2023, Judge Love issued a report recommending that Hendrix's motion to dismiss (Doc. 18) be granted and that plaintiff's claim be dismissed as Hendrix is entitled to qualified immunity. Doc. 32. No objections to the report and recommendation have been filed and the timeframe for doing so has passed.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Hendrix's motion to dismiss (Doc. 18) is granted, and plaintiff's claim against Hendrix is dismissed with prejudice for failure to state a claim. The clerk of the court is directed to terminate Stephen Hendrix. Plaintiff's claims against David Yager and Van Zandt County remain pending.

So ordered by the court on August 9, 2023.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge